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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2559 OF 2007

Shri Sukhdeo Mahadeo Vetal ... Petitioner

V/s

The Manager,
Shetkari Sahakari Sangh Ltd. ... Respondent

Mr. M.S. Karnik for the petitioner.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 15TH JUNE, 2007.

P.C.:

1. The Labour Court has held that the termination of service of the petitioner is unjustifiable and illegal. Further the Labour Court was of the view that the petitioner should be paid 40 months' wages as compensation. In para 4 of the award, the Labour Court has considered the fact that the petitioner has already crossed the age of superannuation. The letter of termination of service is dated 12th October, 1979 and the Reference has been made in 1995. Admittedly, the petitioner was facing a criminal trial which concluded in his acquittal in 1992. All these factors have been taken into consideration by the Labour Court while

coming to the conclusion that the petitioner was entitled to 40 months' wages as compensation. There can be no dispute that the Labour Court, acting under Section 11-A of the Industrial Court Act has the power to mould the relief.

2. Hence, the petition is rejected.

(SMT. NISHITA MHATRE, J.)